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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/830,643

07/13/2001

Israel Radomsky

COHN-18.618

1888

7590

02/09/2005

Helfgott & Karas  
Empire State Building  
60th Floor  
New York, NY 10118-6098

EXAMINER

SEDIGHIAN, REZA

ART UNIT

PAPER NUMBER

2633

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/830,643

Applicant(s)

ISRAEL RADOMSKY

Examiner

M. R. Sedighian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 4/27/01 and 7/13/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 11-14 is/are rejected.
- 7) ☒ Claim(s) 5-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/27/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. This communication is responsive to applicant's preliminary amendments of 4/27/2001 in the application of Israel Radomsky filed 7/13/2001. The amendments have been entered. Claims 1-14 are now pending.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 5, it recites the limitation "said location transceivers" in line 9. There is insufficient antecedent basis for this limitation in the claim.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kappeller, Reinhard (DE 3304451 C1) in view of Fox (US Patent No: 5,742,238).

Regarding claim 1, Kappeller teaches a method for effecting bi-directional IR data communication (abstract, lines 1-6) between a reader (H, fig. 1) and a plurality of M portable objects (U1, U2, Um, fig. 1) each having associated therewith a respective object transceiver (abstract, line 3-6) and has embedded therein a respective object ID uniquely identifying the

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object (abstract line 13 and CN, fig. 4), the method comprising the steps of: allocating to potentially conflicting reader non-overlapping time frames to communicate simultaneously with object transceivers without risk of collision (col. 1, lines 41-47 and ZB, ZBN, fig. 4), the reader transmitting a Reader Control Message (abstract lines 9-14) including a header (fig. 4), a respective reader ID (CNs, fig. 4) so as to allow the reader to be addressed when required followed by up to K object IDs, each in respect of one of said object transceivers (for example, DB3, DB5 containing CNs, fig. 4) and each is being followed by a respective command for controlling the respective object transceiver (abstract lines 14-19, e.g. to block the "understation" after successfully having received its message), allocating up to K data slots (col. 4, lines 40-43 and ZB1, ZB2, fig. 4) each for allowing communication of a data message (abstract and DB1, fig. 4) between the reader (H, fig. 1) and one of the object transceivers (e.g. U1, fig. 1), thus allowing the reader to communicate with multiple object transceivers within a single frame (col. 1, lines 31-40), and allowing each of the M object transceivers to randomly select (abstract lines 9-14) one of R allocation slots for transmitting limited capacity data (abstract, line 12 and col. 1, lines 21-25) to the reader. Kappeller differs from the claimed invention in that Kappeller does not disclose the respective object transceiver is initially dormant, and a plurality of readers, each transmitting to the object transceiver a preamble containing a carrier signal for awaking the object transceiver from its initially dormant state, and the Reader Control Message containing a respective reader ID so as to allow the reader to be addressed when required. Fox teaches data transmission between a plurality of infrared transceivers (or readers, see col. 4, lines 35-45 and 9, fig. 1) and a plurality of microterminals (or object transceivers, see col. 4, lines 45-55 and 12, fig. 1), wherein the infrared transceivers (or readers) can send preamble carrier signals for

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awaking the microterminals (or object transceivers) from its initially dormant state (col. 7, lines 50-55 and col. 8, lines 47-55). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention to incorporate a method and a technique of controlling operation of transceivers such as transmitting a signal to revert the transceiver to an operate mode, as it is taught by Fox, for the data signals transmission between transceivers of Kappeller in order to selectively control the operation of the transceivers and to save power. As to the use of more than one reader, Fox teaches a plurality of readers 9 (or transceivers 9) that are employed, and an object transceiver can be easily placed at a site where it could receive IR signals from more than one reader at the same time. Therefore, the use of reader-IDs in the Reader Control Message has to be regarded as a normal design alternative, well-known to a person skilled in the art.

Regarding claim 2, Kappeller teaches the data message includes a header and a reader ID of the respective reader followed by long message data having up to a predetermined number of bytes for transmission within the data slot (col. 4, lines 16-18 and fig. 4).

Regarding claim 3, Kappeller teaches the limited capacity data comprises a header and a message type followed by a short message of up to a predetermined number of bytes data (col. 4, lines 16-18).

Regarding claim 4, Kappeller teaches the limited capacity data comprises of an acknowledge signal (col. 1, lines 31-37).

Regarding claim 11, Kappeller teaches the object transceivers and the reader are IR transceivers (col. 1, lines 65-67).

Regarding claim 12, Kappeller teaches an object transceiver which is programmed to carry out the method according to claim 1 (col. 2, lines 24-29).

Regarding claim 13, Kappeller teaches a reader which is programmed to carry out the method according to claim 1 (col. 2, lines 3-23).

Regarding claim 14, Kappeller teaches a reader and one object transceiver which are programmed to carry out the method according to claim 1 (col. 2, lines 3-23).

6. Claims 5-9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

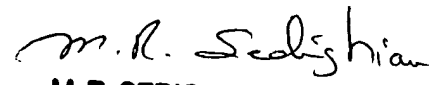
7. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. R. Sedighian whose telephone number is (571) 272-3034. The examiner can normally be reached on M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**M. R. SEDIGHIAN**  
**PRIMARY EXAMINER**